

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

ALLSTATE INSURANCE COMPANY;
ALLSTATE FIRE AND CASUALTY
INSURANCE COMPANY; ALLSTATE
PROPERTY AND CASUALTY
INSURANCE COMPANY; ESURANCE
INSURANCE COMPANY; and
ESURANCE PROPERTY AND
CASUALTY INSURANCE COMPANY,

Plaintiffs,

v.

SURGICAL CENTER OF SOUTHFIELD,
LLC; NORTHWEST NEUROLOGY, P.C.;
PERFORMANCE ORTHOPEDICS OF
MICHIGAN PLLC; TESSY JENKINS,
M.D.; and ROBERT SWIFT, D.O.,

Defendants.

C.A. No. 20-cv-12008-TGB-EAS

STIPULATION OF DISMISSAL AS TO
DEFENDANTS NORTHWEST NEUROLOGY, P.C. AND TESSY JENKINS,
M.D. ONLY

Pursuant to Fed. R. Civ. P. 41(a)(1), it is hereby stipulated and agreed by and between plaintiffs Allstate Insurance Company, Allstate Fire and Casualty Insurance Company, Allstate Property and Casualty Insurance Company, Esurance Insurance Company, and Esurance Property and Casualty Insurance Company (collectively, “Allstate”) and defendants Northwest Neurology, P.C. (“Northwest Neurology”)

and Tessy Jenkins, M.D. (“Jenkins”) only, by and through their undersigned counsel, that Allstate’s Complaint (*ECF No. 1*) be dismissed with prejudice as to defendants Northwest Neurology and Jenkins without costs or fees of any kind to any party. It is also hereby agreed by the parties that the Court shall retain jurisdiction to enforce the terms of settlement reached between the parties.

In light of the parties’ settlement and the within stipulation, Allstate withdraws its renewed motion for sanctions at ECF No. 83 and Northwest Neurology and Jenkins withdraw their motion to amend at ECF No. 72.

[SIGNATURE PAGE FOLLOWS]

STIPULATED AND AGREED TO THIS 9th DAY OF JUNE, 2021:

<p><i>Allstate Insurance Company, Allstate Fire and Casualty Insurance Company, Allstate Property and Casualty Insurance Company, Esurance Insurance Company, and Esurance Property and Casualty Insurance Company,</i></p> <p>By their Attorneys,</p> <p><i>/s/ Jacquelyn A. McEttrick</i></p> <hr/> <p>Richard D. King, Jr. rking@smithbrink.com Nathan A. Tilden (P76969) ntilden@smithbrink.com Jacquelyn A. McEttrick jmcettrick@smithbrink.com Andrew H. DeNinno adeninno@smithbrink.com William G. Potter wpotter@smithbrink.com SMITH & BRINK 350 Granite Street, Suite 2204 Braintree, MA 02184 (617) 770-2214</p> <p>38777 Six Mile Road, Suite 314 Livonia, MI 48152 (734) 521-9000</p>	<p><i>Northwest Neurology, P.C. and Tessy Jenkins, M.D.,</i></p> <p>By their Attorney,</p> <p><i>/s/ Paschal E.C. Ukpabi</i></p> <hr/> <p>Paschal E.C. Ukpabi lawarenaplhc07@gmail.com LAW ARENA PLLC 24123 Greenfield Road, Suite 309 Southfield, MI 48075 (248) 443-1218</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

ALLSTATE INSURANCE COMPANY;
ALLSTATE FIRE AND CASUALTY
INSURANCE COMPANY; ALLSTATE
PROPERTY AND CASUALTY
INSURANCE COMPANY; ESURANCE
INSURANCE COMPANY; and
ESURANCE PROPERTY AND
CASUALTY INSURANCE COMPANY,

Plaintiffs,

v.

SURGICAL CENTER OF SOUTHFIELD,
LLC; NORTHWEST NEUROLOGY, P.C.;
PERFORMANCE ORTHOPEDICS OF
MICHIGAN PLLC; TESSY JENKINS,
M.D.; and ROBERT SWIFT, D.O.,

Defendants.

C.A. No. 20-cv-12008-TGB-EAS

STIPULATED ORDER OF DISMISSAL AS TO DEFENDANTS
NORTHWEST NEUROLOGY, P.C. AND TESSY JENKINS, M.D. ONLY

This matter having come before the Court upon stipulation of the parties, and the Court being otherwise fully advised in the premises:

IT IS HEREBY ORDERED that plaintiffs' causes of action against defendants Northwest Neurology, P.C. and Tessy Jenkins, M.D. only are hereby dismissed with prejudice and without costs to any party. The Court shall retain

jurisdiction over this matter to enforce the terms of settlement reached between the parties.

IT IS FURTHER ORDERED that plaintiffs' renewed motion for sanctions at ECF No. 83 and Northwest Neurology, P.C. and Tessy Jenkins, M.D.'s motion to amend at ECF No. 72 are WITHDRAWN.

IT IS SO ORDERED.

Dated: June 16, 2021

/s/Terrence G. Berg

Hon. Terrence G. Berg

United States District Judge